

A Conquered State.

We were surprised to read in the report which we published a few days ago of the speech of Parson Massey at the Warm Springs, the statement that that itinerant demagogue had shown so little respect for the intelligence of his hearers as to assert that the United States Government was bound by the law of nations to pay the public debt of Virginia. The assertion might be contradicted flatly and without qualification. It is a falsehood. It merits as an argument on other notice than the simple declaration that it is untrue. We had supposed that such foolish glibness would be left to FAYETTE McMULLIN. However, Parson Massey, like FAYETTE, is no lawyer; and when either of them begins to talk about constitutions and the laws of nations, he at once begins to utter mere nonsense.

We have said that this assertion that the Federal Government is responsible for the debts of Virginia because it conquered this State in war merits no other notice than a flat denial. We mean that in itself the argument—may, not argument, but groundless assumption—is unworthy of any other notice. Nevertheless, the facts that there are people who may be misled by it, and that a wrong construction has been put by better men than Parson Massey upon the words of distinguished writers upon the law of nations, must be our excuse for explaining the true state of the case.

The word "State" as used by writers upon the law of nations means an entire nation. Great Britain and Ireland constitute such a State. France is such a State. Russia is such a State. Mexico is such a State. And the United States is such a State. Before the revolutionary war Virginia, for instance, was called a "colony." After that war ended, she was recognized as an independent State by the Government of Great Britain. So as to the other colonies. They became "States" in the sense in which the word is used by writers upon international law; and if they had remained independent States, and any one of them had been conquered and its territory been taken possession of by the conqueror, the conquering State would have been bound for the debts of the conquered State. But they did not continue independent. When they combined to form the Federal Government, they lost not the name but the character of "States," (that is, in the sense in which writers upon international law use the word when they speak of a conquering "State" or a conquered "State"), and the United States, all taken together, became and has ever since continued to be the only "State" that foreign Governments recognize or treat with. They constitute a nation; and "State" and "nation" are synonymous words in this discussion.

Now, then, let us admit, what is indeed true, that according to the law of nations, when one nation conquers another, takes possession of its territory, and extends its government over it, the conquering nation becomes responsible for the debts of the conquered nation: does this statement describe the case of Virginia and the Federal Government? Not at all. Virginia is no nation. Virginia was no nation before the rebellion. She was merely a small part of a nation. She was a mere unit amongst many others which went to make up the nation. The United States are a *pluribus unum* according to the national motto—that is, they constitute the "one" which is made out of several, or many, or "more than one." In a word, Virginia was not a nation that could be conquered. The United States Government was and is bound to prevent her from being "conquered." The United States Government is her protector. But argument is useless. When the right word is used every reader can see for himself that the principle of the law of nations which Mr. Massey relies upon to establish his position has no reference whatever to such a case as that between Virginia and the United States Government, and cannot be made to apply to it. It would be just as sensible, just as true, and just as good law, to say that the United States Government was bound to pay the debts of her counties in which she crushed the famous whiskey insurrection. But we repeat the very language shows the true state of the case when the right word is used—namely, when one nation conquers another, takes possession of its territory, and extends its government over it, the conquering nation becomes bound for the debt of the conquered nation. No such thing has occurred or can occur in this country.

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